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Attorneys for Defendant
Marina District Development
Corporation, LLC d/b/a
the Borgata Hotel Casino & Spa

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

RAVI MOTWANI and BARRY
CASSELL, Individually and on
behalf of a Class of Similarly
Situated Individuals,

Plaintiffs,

v.

MARINA DISTRICT
DEVELOPMENT COMPANY,
LLC d/b/a BORGATA HOTEL
CASINO AND SPA,

Defendant.

**Civil Action No.
2:15-cv-02069-JLL-JAD**

**NOTICE OF MOTION
TO DISMISS**

ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that on May 18, 2015, at 10 am or as soon thereafter as counsel may be heard, the defendant, Marina District Development Company, LLC, d/b/a the Borgata Hotel Casino & Spa, shall move before the Honorable Jose L. Linares, U.S.D.J., at the Martin Luther

King Federal Building and Courthouse, 50 Walnut Street, Newark, New Jersey 07102, for an Order pursuant to Federal Rule of Civil Procedure 12(b)(6) dismissing the following claims in Plaintiffs' Complaint pursuant to Fed. R. Civ. P. 12(b)(6) and Fed. R. Civ. P. 9(b):

- All Counts as to plaintiff Ravi Motwani; and
- The Second Count as to plaintiff Barry Cassell.

PLEASE TAKE FURTHER NOTICE that the Defendant shall rely upon the accompanying brief in support of its motion. Pursuant to L. Civ. R. 78.1, the defendant respectfully requests oral argument.

DATED: April 20, 2015

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CERTIFICATE OF SERVICE

I certify that on April 20, 2015, I caused a copy of the foregoing document, together with all supporting papers, to be served via ECF and first class mail upon the following:

Bruce H. Nagel, Esq.
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